



**California**

**Public Employees for Environmental Responsibility**

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Pamela Creedon  
Executive Officer  
CVRWQCB  
11020 Sun Center Drive, #200  
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By Email: [pcreedon@waterboards.ca.gov](mailto:pcreedon@waterboards.ca.gov)

Re: Draft CAO for Rubicon Trail, El Dorado County

Dear Ms. Creedon:

On behalf of Public Employees for Environmental Responsibility, as a charter member of the Rubicon Oversight Committee (ROC) and as a resident of Georgetown, I want to express my deep appreciation to you and the Water Board Staff for the Draft Cleanup and Abatement Order (CAO) issued to El Dorado County for the Rubicon Trail. It is gratifying that a public agency is finally addressing the many environmental impacts unmanaged use of the trail has been causing for many years.

I agreed to represent environmental interests on the ROC because I believed El Dorado County was sincere in its desire to develop a responsible management plan for the Rubicon Trail. Indeed, I believe Supervisor Penny Humphreys, who initiated the effort and appointed me to the ROC, wanted to see the trail managed in an environmentally acceptable manner. I helped write grants for the trail and helped convince the State Off Highway Vehicle Commission to fund over \$400,000 in grants for development of the Management Plan and Draft EIR. So it was a shock to hear last year that Supervisor Sweeney had, without a word to the ROC, decided to shelve the effort, despite the fact that all the grant monies had been spent, the Trail Management Plan (TMP) and DEIR had been completed, and all that was required was a decision from the Board.

We believe the excuse for shelving the TMP and DEIR, a lack of funding, is specious, because the TMP provided, among other things, user fees that, if imposed, could

yield ample funding for trail management. Supervisor Sweeney's estimate of \$800,000 per year could be met by charging the alleged 35,000 users per year less than \$23 each.

Since suspending the TMP and DEIR, environmental damage to the trail and surrounding lands has continued. Despite assertions by some that all is fine with the trail now, as your staff saw for themselves, this is not the case. Volunteers picking up their trash are great, but it does not solve the problems caused by inappropriate use. Your staff saw the trail after an asserted 30,000 volunteer man-hours, so it is obvious volunteers with shovels and garbage bags are not going to solve the enormous engineering and reconstruction needs of the trail. Those who claim they can eliminate sedimentation, petroleum products spills and human waste without the intervention of the Water Board are choosing to ignore their historic inability to accomplish these things.

When El Dorado County asserted ownership of the Rubicon Trail as a County Road twenty years ago, it also assumed legal responsibility for proper management of the trail. It has consistently evaded that responsibility. If it now wants to step up to the plate and begin to manage the trail in an environmentally responsible manner, we will support them in that effort. However, we believe the CVRWQCB has the legal responsibility to ensure the county fully embraces that duty. The county asserts it is already planning to do much of what is required in the draft CAO. That being the case, the requirements of the CAO will not be a burden. What it does provide is a timeline and incentive to actually complete the work.

We appreciate and support the work of your staff and urge you to adopt the order as drafted.

Sincerely,

s/s

Karen Schambach  
California Coordinator

Cc: Wendy Wyels, CVRWQCB  
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